HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G.V. SEETHAPATHY

WRIT APPEAL NO.564 OF 2006

BETWEEN

Sri Anjaneya Swami Temple Committee, Hyderabad

.....Appellant

And

The District Collector, Hyderabad

.....Respondent

:: JUDGMENT ::

Counsel for the Appellant : Shri Vedula Srinivas

Counsel for Respondent : Government Pleader for Revenue.

Dated: 13.06.2006

Per G.S. SINGHVI, CJ

This appeal is directed against order dated 27.04.2006 passed by the learned Single Judge, whereby he dismissed Writ Petition No.8936 of 2006 filed by the appellant for quashing communication dated 06.12.2005 of Collector, Hyderabad District declining its prayer for allotment of land adjacent to Sri Anjaneya Swami Temple, Banjara Hills, Hyderabad.

After arguing the case for some time, Shri V. Srinivas, learned counsel for the appellant made a request that his client may be permitted to withdraw the appeal.

Learned Government Pleader for Revenue says that he does not have any objection.

In view of the above, the appeal is dismissed as withdrawn.

While granting leave to the appellant to withdraw the appeal, we deem it proper to observe that while allotting government/public land, the State, its instrumentalities and agencies and/or public authorities must strictly abide by the doctrine of equality, which constitutes one of the basic structures of the Constitution. This necessarily implies that no government or public land can be allotted to an individual or institution otherwise than by way of public auction or by inviting applications and by considering competing claims of all eligible persons belonging to any particular group or class. Needless to observe that any allotment made to an individual without considering the claims of similarly situated persons would be an affront to the concept of equality.

G.S. SINGHVI, CJ

G.V. SEETHAPATHY, J

12.06.2006

ksld/svs